

The Lakewood Township Committee held a Meeting on Thursday, November 5, 2009 in the Lakewood Municipal Building, at 6:30 PM for the Executive Session, and 7:30 PM for the Public Meeting, with the following present:

Mayor..... Robert Singer
Deputy Mayor.....Steven Langert
Committee Members..... Menashe Miller
Raymond Coles
Meir Lichtenstein
Municipal Manager..... Frank Edwards
Municipal Attorneys..... Lawrence E. Bathgate, II, Esq.
Jan Wouters, Esq.
Municipal Clerk..... Mary Ann Del Mastro

Adequate notice of this meeting has been provided in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, by Resolution of the Township Committee adopted January 1, 2009 and published in the Asbury Park Press on January 8, 2009.

ROLL CALL

CLOSED SESSION

Resolution No. 2009-339 – Adopted.

ROLL CALL

SALUTE TO THE FLAG AND PRAYER

OPEN SESSION

Motion by Mr. Coles, second by Deputy Mayor Langert, and carried, to open the meeting.

MOTION TO APPROVE MINUTES OF: 10/15/09

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Minutes.

MOTION TO APPROVE CLOSED SESSION MINUTES: 10/15/09

Motion by Mr. Coles, second by Mr. Miller, and carried, to approve the above Closed Session Minutes.

PRESENTATIONS

Frank Scarantino, County Engineer – Garden State Parkway & Route 9

A brief slide presentation was given regarding upcoming improvement plans for the Garden State Parkway, Route 9, and various changes in Ocean County's roadway safety improvement initiatives, as well as specific projects that are of significance to Lakewood Township.

ORDINANCES FOR DISCUSSION: None

QUALITY OF LIFE

Comments from Committee Members on quality of life items.

Mr. Lichtenstein asked Chief Lawson about issues concerning the Towers.

Chief Lawson advised that one of the issues has to do with the education of the Police Officers with regard to Towers responding to the scene. Through in-service training, all the Officers have been made aware of the Towing Ordinance and the requirements, so he is confident going forward that there will be less issues at towing scenes.

Mr. Lichtenstein advised Mayor Singer regarding the various issues in the downtown concerning the new striping, and the one-way streets. He spoke with the merchants and Chief Lawson, who had advised that the merchants came to him also about certain issues. He asked to meet with Deputy Mayor Langert, Chief Lawson, the Engineering Department, and some downtown business owners to review their concerns and see if something can be done to mitigate them.

Mayor Singer agreed.

Mr. Lichtenstein also advised Mayor Singer regarding the issue of track mapping that will assist the Police Department, Public Works Department, Zoning, and Engineering Department. He requested to present them, and have the representative come in and meet with the various department heads that would make use of this system, in order to understand the project, before they go ahead and choose the vendor to implement the program.

Mr. Miller agreed. He did receive the packet; copies will be distributed to the Committee members, the Clerk, and various professionals. The representative will be meeting with the department heads, who will have the opportunity to utilize what will be most beneficial to their department. The projected time frame to get this system up and running is three months.

Deputy Mayor Langert asked Chief Lawson for an update regarding the issue of Brick Police dropping off homeless people in Lakewood.

Chief Lawson advised that he spoke with the Brick Chief of Police. He is looking into it, and is supposed to let him know what happened. As of this evening, he has not gotten back to him. He expects to hear from him tomorrow at the latest.

Deputy Mayor Langert advised Mayor Singer that he observed over the past few weeks other Township Police Departments coming in and dropping people off at the Cedarbridge location.

Chief Lawson added that he certainly would be equally outraged if the Brick Police were dumping homeless people into this town, but he does not believe this is the case. However, he is sure that the Chief will get back to him with the details.

Mayor Singer advised that Mr. McNeill had a name of a gentlemen that the Sheriff's Department dropped off at the CVS after being released from jail; he was a Freehold resident. He requested the Chief to contact the Sheriff's department, and find out the name of the Officer, and why he dropped him off there, why they are doing this, and what steps are being taken to make sure this does not happen again. Mike McNeill has all the information.

Mayor Singer reviewed quality of life items from the previous meeting.

As to the issues of the Parkway lights, Mr. Miller advised that the lights are back on and in working order.

As to the issue of three pitbulls on a property, and a broken fence, Chief Lawson advised that the fence has been repaired.

As to the complaints about overgrowth of bushes on County Line Road, Mr. Burdge advised that he will follow up on this matter tomorrow and make sure it is taken care of.

As to the issue of the condition of the incomplete project on Massachusetts Avenue, Mr. Bathgate advised that he spoke with the Chairman of the Bank, and they have a letter from them that they are going before the Court to get the authority to do what they need to do to so they can add it to the mortgage. He will follow up with the Bank regarding the results of the Court hearing.

Mayor Singer asked about a condemnation.

Mr. Bathgate suggested they could send a notice that the town will clean up the property and put a lien on it. He advised that you can start with that, or the town can file an action in Court, which they have tried to avoid because of the cost, and hoping that the Bank would do it, as they have a vested interest in making sure their assets are protected.

Mr. Lichtenstein stated that the Township has an Ordinance that allows them to go on any property to cut the grass and maintain the property. He asked if that lien is the

same as a tax lien; is it in first position above the mortgage, even though it is not actual taxes, it is a lien.

Mr. Bathgate answered the town will collect the money; he agreed it is a first lien.

Mr. Lichtenstein added that since they have that Ordinance in place, and if by the next meeting it is not done, why can't the town go in and put a lien on the property.

Mayor Singer answered it is because of the cost. It is not just a thousand dollars to do it.

Mr. Edwards advised they had an estimate that it would cost anywhere from \$18,000 to \$20,000 to deal with every single unit, given the magnitude of the project. The Township opted to try to get the Bank and parties who have a vested interest in the project to take care of it before the town had to put out the money, and wait to get it back as part of a lien process.

Mr. Bathgate advised that he would call the Chairman of the Bank again tomorrow, and ascertain exactly what happened in Court, and what their intentions and plans are. He was told at the time they would have it all completed within a thirty day time frame. He will do a memo to the Committee indicating the results of the conversation with the Chairman.

Mayor Singer also suggested sending a letter from the Township to the Commissioner on Banking, asking them to speak to Amboy Bank for not dealing in good faith with the Township, and ask them to investigate. That would certainly be disruptive to the Bank. He suggested that if Mr. Bathgate does not get a satisfactory date from the Bank, the town will pass a Resolution, send it to the Commissioner of Banking, asking them to investigate Amboy Bank, as to why they are not dealing in good faith with the Township, and advise that the town is suffering because the Bank is not doing the right thing. They are a chartered Bank of the State of New Jersey; there has to be some responsibility.

Comments from the public will be heard for a limit of one (1) hour. Each speaker will have four (4) minutes and shall be limited to one time at the podium.

Mayor Singer opened the meeting to the public.

Charlie Cunliffe, Jennifer Drive – Congratulated Mr. Miller and Mr. Lichtenstein on their re-election. Asked about the rules and regulations in terms of campaign signs; they lost hundred of signs. He asked if there have been changes to the rules and requested that the Committee look into it.

Mr. Coles asked Mr. Burdge if the Township Public Works personnel picked up any campaign signs prior to the election.

Mr. Burdge answered no.

Mr. Coles requested that he contact the County tomorrow to see if their personnel picked up any signs. He had noticed that a lot of the signs that were missing were along County roads.

Mayor Singer advised that the State and the County have their regulations. He knows that the State has not changed anything. If anything was done on State and County roads, you would have to go to them. The Township has not changed any rules.

_____Shain – Commented with regard to the downtown traffic patterns. Objected to certain changes that are being made. Submitted a petition to the Clerk from the business owners in the downtown area regarding the objections.

Mayor Singer advised that a meeting will be set up with interested downtown merchants, at a convenient time for all, regarding their suggestions for traffic patterns in the downtown area.

Bill Hobday, 30 Schoolhouse Lane – Congratulated Mr. Lichtenstein and Mr. Miller on their re-election. Complained about gang graffiti on a utility box on River Avenue, south of the railroad tracks. Spoke in favor of the No Stopping No Standing Ordinance for Massachusetts Avenue.

Noreen Gill, 192 Coventry Drive – Congratulated Mr. Lichtenstein and Mr. Miller on their re-election. Complained about the traffic in downtown Lakewood.

Yehuda Zinberg, 232 Ridge Avenue – Commented with regard to the downtown traffic patterns. Advised of the need for more street lights in his neighborhood.

Mr. Lichtenstein advised they could do a street light survey, and for Mr. Zinberg to provide the locations, intersections, and addresses, where he feels that the lights are needed, and he will forward the information to the appropriate parties.

Joe DeFalco, 38 Oakmont Avenue – Requested the minutes and public testimony of the Smart Growth hearing.

Mr. Coles will convert the tapes of the meeting to a CD. The CD's can then be provided to the public upon request.

Moshe Lankry – Complimented the Township on the various downtown traffic patterns.

_____ - A resident of the Enclave; asked about the entrance to her development on Cross Street, between Route 9 and Massachusetts Avenue. She stated there is a sign indicating No Left Turn.

Mayor Singer stated that was required by the Planning Board at the time of construction. Cross Street is a County road; it is a safety measure.

Seeing no one else wishing to be heard, Mayor Singer closed the meeting to the public.

Mayor Singer commented with regard to the downtown. The plan was started under a prior administration and languished for two years. When he became Mayor, they had spent \$90,000.00, and he felt they should do something about it, and Deputy Mayor Langert proceeded with it. They got it redesigned, and they are trying to make some major improvements in the downtown. There are some bumps in the road, but prior to this, it was absolute chaos. Deputy Mayor Langert has moved this entire project in the right direction. It will take some tweaking to make it happen, but at the end of the day, it will be better. That was the whole goal there. Doing nothing did not work. Some of this will coordinate with what is happening on Route 9. They will take a look at the entire project, work along with merchants, and see a better flow of traffic.

Mr. Lichtenstein commented with regard to Resolution No. 13, which is for a communications tower at the OEM Building, that Remington Vernick, in conjunction with the Police Department, will be working on. There are various agencies in town who have suggested locations for the antennas. If it is determined that it is something that services and volunteers for our Township will utilize, and it is at no additional cost in the design, he would ask that they reach out to those various agencies that work with the town, and see if there is room for their antennas on this tower, as well.

At this time, the professionals left the meeting.

CONSENT AGENDA

The items listed below are considered to be routine by the Township of Lakewood and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- 1. Resolution authorizing submission by the Lakewood Development Corporation of an amendment to UEZ Project 09-30-SGF entitled Redevelopment Assistance Project in an amount of \$35,000.00. (UEZ – “Redevelopment Assistance Project”) Resolution No. 2009-340**
- 2. Resolution authorizing Appropriation Transfers in the 2009 Municipal Budget. Resolution No. 2009-341**
- 3. Resolution to authorize and direct the submission of a request to the New Jersey Urban Enterprise Zone Authority to evaluate and approve;**

**"Business Attraction Initiative, in the amount of \$70,000.00. (UEZ – Business Attraction Initiative)
Resolution No. 2009-342**

- 4. Resolution to authorize and direct the submission of a request to the New Jersey Urban Enterprise Zone Authority to evaluate and approve; Job Link Transportation Service 2, in the amount of \$105,000.00. (UEZ – Job Link Transportation Service 2)
Resolution No. 2009-343**
- 5. Resolution to authorize and direct the submission of a request for "Redevelopment Database" project to the New Jersey Urban Enterprise Zone Authority, in the amount of \$20,000.00. (UEZ – Redevelopment Database)
Resolution No. 2009-344**
- 6. Resolution authorizing renewal of Towing Licenses, for the Year 2009-2010.
Mr. Lichtenstein removed this Resolution from the Consent Agenda.**
- 7. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget, for NJDOT Municipal Aid Program Grant, in the amount of \$173,249.00. (Chapter 159 – DOT Municipal Aid Program Grant)
Resolution No. 2009-345**
- 8. Resolution authorizing a Leave of Absence, without pay, for Ralph Latif, from October 28, 2009 to December 1, 2009.
Resolution No. 2009-346**
- 9. Resolution appointing a member to the Lakewood Zoning Board of Adjustment. (Najriran Holland)
Resolution No. 2009-347**
- 10. Resolution to authorize and direct the submission of a request to the New Jersey Urban Enterprise Zone Authority to evaluate and approve the project "Co-operative Advertising Program – Pilot", in the amount of \$250,000.00. (UEZ – Co-operative Advertising)
Resolution No. 2009-348**
- 11. Resolution releasing a Performance Guarantee posted by Yitzchok Singer, in connection with Application SD #1558, Block 75, Lot 14.
Resolution No. 2009-349**

- 12. Resolution authorizing the Insertion of a Special Item of Revenue into the 2009 Municipal Budget for CDBG Grant Assistance, in the amount of \$210,840.00. (Chapter 159 – CDBG Grant)
Resolution No. 2009-350**
- 13. Resolution authorizing the Award of a Professional Services Contract to Remington, Vernick, & Vena Engineers, Inc., in the amount of \$15,450.00. (Communications Tower at OEM Building)
Resolution No. 2009-351**
- 14. Resolution authorizing the Township of Lakewood Tax Collector to refund Tax Sale Redemptions.
Resolution No. 2009-352**

Motion by Mr. Lichtenstein, second by Mr. Coles, to approve Resolution Nos. 1 through 5 and 7 through 14 on the Consent Agenda.

Deputy Mayor Langert advised that he is not in favor of removing Resolution No. 6 from the Consent Agenda.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller, Deputy Mayor Langert and Mayor Singer.

Resolution Nos. 2009-340 through 2009-352 – Adopted.

Resolution No. 6 that was removed from the Consent Agenda was discussed and acted upon as follows:

- 6. Resolution authorizing renewal of Towing Licenses, for the Year 2009-2010.**

Motion by Mr. Lichtenstein, second by Mr. Miller, to carry the above Resolution to the meeting of November 19, 2009.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller.

Negative: Deputy Mayor Langert, Mayor Singer

Resolution carried to the meeting of November 19, 2009.

ORDINANCE SECOND READING

ORDINANCE FIRST READING (Second reading and Public Hearing 11/19/09)

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic), Section 11-12A (No Stopping, No Standing) and Schedule XI-A (No Stopping, No Standing) of the Code of the Township of Lakewood. (No Stopping, No Standing – Cross St. & Mass Ave. Southerly – both sides)

Read by title only for first reading.

The above Ordinance was offered by Mr. Coles, second by Mr. Miller.

Mr. Lichtenstein advised he intended to vote for this for first reading. He knows that the school made some sort of request to be able to accommodate some additional parking on their property. He asked if the Engineering Department could reach out and expedite and explain to them that they are not going to be able to park cars right along their property, and give them the opportunity to find some place on the property to put it before they pass a No Parking Ordinance and they end up parking far away or illegally parking, and walking. They need their safety to be taken care of, and he is sure it will, as soon as they pass the No Parking Ordinance. But he wants the school to know it is coming, and to give them the opportunity to accommodate some additional parking on their property in a safe way, through our Engineering Department.

Mr. Miller asked if the school was aware that the Township was passing this Ordinance. Mr. Lichtenstein answered that he had no idea. That is why he is asking if they could request the Manager to have the Engineering Department reach out to the school and let them know this is coming.

Mr. Miller answered it is a very important Ordinance; however, he is not looking to catch anyone off guard. He wants to work hand in hand.

Mr. Lichtenstein stated in his opinion they did not have to extend the time frames; they just need to tell them to go to the Engineering Department, to figure out a good place to put some additional cars, because there is a No Parking Ordinance coming.

Mr. Coles advised this is first reading; they have a couple of weeks to the next meeting, which is plenty of time to resolve any issues by that time.

Mr. Edwards advised you also need the County's approval before it could become effective.

Deputy Mayor Langert asked how it will affect the other residents who live along Massachusetts Avenue. He knows this was done because of the school, but he sees that it runs all the way to the Township line. He would like to know if the other residents in the area were contacted, if they had any input into it. Other times, when he was in the audience, when a No Parking Ordinance was done, the Committee has taken into account what the other residents on the block had to say. He would like to know if that was done. Can anyone answer that question?

Mayor Singer answered no.

Deputy Mayor Langert asked if they were contacted.

Mayor Singer answered no.

Mayor Singer continued that they understand that Mr. Lichtenstein wants to make sure that the school is contacted. He requested that Mr. Edwards contact the school to make them aware of the Ordinance.

Mr. Edwards answered he would have the Engineering advise them of the details.

Mayor Singer further requested that they send a letter to the other three residents on the street. And further requested, in addition, that Mr. Lichtenstein also call the school, and have Mayor's Aide also make a call to the school.

On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller and Mayor Singer.

Abstain: Deputy Mayor Langert

Ordinance No. 2009-66 adopted on first reading. Second reading and public hearing to be held on November 19, 2009.

An Ordinance of the Township of Lakewood, County of Ocean, State of New

Jersey, amending and supplementing Chapter XI (Traffic), Section 11-6 (One-Way Streets) and Schedule VII (One-Way Streets) of the Code of the Township of Lakewood. (First St. Westerly – between Clifton Ave. & Monmouth Ave.)

Read by title only for first reading.

Deputy Mayor Langert stated that on the advice of Attorney he would like to remove this Ordinance to clean up the language.

The above Ordinance died due to lack of Motion.

An Ordinance of the Township of Lakewood, County of Ocean, State of New Jersey, amending and supplementing Chapter XI (Traffic), Section 11-8 (Left Turn Prohibitions) and Schedule IX (Left Turn Prohibitions) of the Code of the Township of Lakewood. (Repeal/Delete Lexington Ave. @ Main St./Rte. 88 southbound between the hrs. of 7:00 AM and 7:00 PM)

Read by title only for first reading.

The above Ordinance was offered by Mr. Lichtenstein, second by Deputy Mayor Langert. On Roll Call – Affirmative: Mr. Lichtenstein, Mr. Coles, Mr. Miller, Deputy Mayor Langert and Mayor Singer.

Ordinance No. 2009-67 adopted on first reading. Second reading and public hearing to be held on November 19, 2009

CORRESPONDENCE

The Clerk read a letter into the record, from the Law Offices of Samuel Z. Brown, with regard to a request from the residents of Hope Chapel Road for the installation of pedestrian sidewalks on Hope Chapel Road, between New Central Avenue and Miller Road.

Mayor Singer offered a Motion that they send a letter to all of the residents who will be affected, that based on Mr. Brown's request, the town will be doing the Engineering work, and each homeowner affected will participate in paying for their share of the sidewalks. A second to the Motion was offered by Mr. Coles. Mayor Singer and Mr. Coles voted in favor; Deputy Mayor Langert and Mr. Lichtenstein were opposed. Mayor Singer asked what their solution was.

Mr. Lichtenstein answered he did not know yet. He suggested that they communicate with Mr. Brown first and ask him if that is what his clients want, as opposed to just doing it without talking to him.

Mayor Singer stated he will defer the Motion and the information, and that Mr. Brown be informed that Mr. Lichtenstein is in charge of this project, and he is to contact him directly.

Mr. Miller agreed.

On the correspondence, a Motion was offered by Mr. Coles, second by Mr. Miller, to receive and file.

MOTION TO APPROVE BILL LIST OF: None

COMMENTS FROM COMMITTEE MEMBERS

Mr. Lichtenstein thanked everyone for their support in the election, and for those who did not, he thanked them for taking the time to come out and vote, and he looks forward to working with everyone together, with the Mayor and Committee, for the betterment of Lakewood. He thanked the Committee for their support.

Mr. Lichtenstein further advised Mayor Singer with regard to the issue of street lights. He was told if he found it to be an issue, he could request that a meeting is set up with the people from the electric company. He advised their response is very poor, they are not doing a good job, they are taking a very long time....he had a lengthy conversation again today with the Purchasing Agent. He can not do this alone, he needs the assistance of Senator Singer, and as the Mayor, to assist him, and meet with them so they can be advised of the Township's concerns.

Mayor Singer requested Mr. Edwards to contact Mrs. Holman, who is the Liaison to Government from JCPL, and request that she and her staff attend, not the next Township Committee Meeting, but the following meeting, and request the Purchasing Agent and Police Department to attend also. He wants the records available of the times that the Township called in for repairs, and how long it took, and JCPL will be asked publicly, because the Township is at the point of going to the BPU. They will be asked publicly why they can't repair the streets lights in a timely fashion. He feels that will be the most effective way to do that.

Mr. Miller thanked everyone who came out on Election Day who voted in favor of his re-election, and he appreciates their support.

Mr. Coles congratulated Mr. Lichtenstein and Mr. Miller on their re-election.

Deputy Mayor Langert congratulated Mr. Lichtenstein and Mr. Miller on their re-election. He hopes that the coming three years are as positive as their past years.

Mayor Singer congratulated Mr. Lichtenstein and Mr. Miller on their re-election. He believes they have seen a very strong showing by the public of their concerns regarding property taxes, and the economy. He would suggest to the incoming Committee, Mayor and Deputy Mayor, they are in for very difficult economic times; they will be suffering at local, County and State levels, and it will be severe. They have received cuts in the past year of approximately a million and a half dollars in state aid. He expects less in the following year, and they are going to have to do with less. That means all of us are

going to have to be part and parcel to that solution. If everyone thinks it is going to be business as usual next year, and nothing is going to change, they are in for a rude awakening. You have to take the appropriate actions early, and start to do the things you are going to have to do, as distasteful as they are now. The longer you wait every day past January 1st to make decisions it lessens the effect of what you do, and means you have to do double. Surrounding communities had substantial lay-offs, cut-backs, furloughs, and no new hires. Lakewood did not have that. Lakewood had a basic hiring freeze. Lakewood was the only Police Department in all of Ocean County to send anyone to the academy. Most departments took a drop in their number of officers; Lakewood did not. Brick Township had a substantial cut back in Public Works. Other towns had furloughs, and had departments close down. This is what is going to happen. If you decide not to do the tough things now, he said, as the outgoing Mayor leaving office in the next few weeks, you will absolutely regret it. And it will not be something that is easy to do. If you do it now, and you do it sensibly, as the economy gets better, you will be able to bring people back, but if you don't do it, you will absolutely be in trouble. He has told the Committee that they are under a CAP, and that CAP waiver will not be granted by the State which also leaves you in a very difficult position, and that direction will be the direction from the person who sits in the middle chair. But he is saying it is a very serious situation in the State, and that affects Lakewood, because they are at a one billion dollar shortfall right now to close this years' budget. Governor Corzine refused to come back in during the Summer to deal with it, he refused to deal with it in September in October, and now it is sitting there, and he is going to walk out in January leaving that unsolved, and the Budget is up in June with that billion dollar shortfall, and the estimated shortfall for the future budget is seven billion. It is very serious, and Lakewood is going to have to their bit, or they will suffer greatly for it.

ADJOURNMENT

Motion by Mr. Coles, second by Mr. Miller, and carried, to adjourn the meeting. Meeting adjourned at 9:18 PM.